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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
BELSITO COMMUNICATIONS INC. d/b/a THE LEGAL
ADVOCATE,

Plaintiff,

VERIFIED COMPLAINT

-against-

I LEGAL NEWS, LLC; STEINFELD LAW FIRM; AND
PATRICK STEINFELD, INDIVIDUALLY, AND AS
FOUNDER AND OWNER OF I LEGAL NEWS, LLC AND
STEINFELD LAW FIRM,

Defendants.
-----X

Plaintiff Belsito Communications Inc., d/b/a The Legal Advocate, by and through its
attorneys, McCabe & Mack LLP, respectfully alleges as follows:

INTRODUCTION

1. This is an action for (1) copyright infringement, (2) breach of contract, and (3) misappropriation of “hot news” arising from the illegal use, copying and publication of Plaintiff’s registered intellectual property by Defendants i Legal News, LLC; Steinfeld Law Firm; and Patrick Steinfeld, individually, and as founder and owner of i Legal News, LLC and Steinfeld Law Firm.

2. Plaintiff Belsito Communications Inc. is the owner of The Legal Advocate, an innovative news platform designed to report breaking news from around the United States and provide a unique insight into the legal world.

3. The Legal Advocate’s breaking news stories and proprietary analyses are a significant component of its business.

4. Use of The Legal Advocate is governed by a Terms of Use agreement that is

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prominently displayed on the website. In exchange for access to the breaking news reports and proprietary analyses published on The Legal Advocate, all users agree to the Terms of Use agreement and are bound by all provisions contained therein. A copy of the Terms of Use is annexed as Exhibit “1”.

5. Among other things, the Terms of Use provide that the breaking news articles, proprietary analyses and other intellectual property made available on The Legal Advocate may not be distributed or reproduced without the express permission of The Legal Advocate.

6. Despite the copyrighted and proprietary nature of The Legal Advocate’s content, along with their contractual obligations pursuant to the Terms of Use Agreement, Defendants have been illegally obtaining, distributing, copying, reproducing and publishing this content without permission.

7. Defendants’ infringement is willful. Defendants are aware that the subject content is copyrighted and cannot be copied, reproduced and/or published on another site without the express permission of Plaintiff.

8. Defendants’ actions have caused significant injury to The Legal Advocate, entitling Plaintiff to compensatory damages, injunctive and/or other equitable relief, punitive damages, and attorney’s fees.

PARTIES

9. Belsito Communications Inc. is a domestic business corporation registered with the New York State Department of State on or about December 3, 1997. Belsito Communications Inc. was founded by Joseph Belsito, the president and CEO of the company. Belsito Communications Inc. owns, publishes, runs, maintains, manages and does business as The Legal Advocate and maintains its principal place of business at 1 Ardmore St., New Windsor, New York, 12553.

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10. Defendant i Legal News, LLC is a domestic limited liability company that was registered with the California Secretary of State by Patrick Steinfeld on or about April 23, 2020. i Legal News, LLC is registered as an online legal news business and maintains its principal place of business at 506 S. Spring St. Unit 13308, Los Angeles, California, 90013-3215.

11. Upon information and belief, i Legal News, LLC owns, publishes, runs, maintains, manages and does business as ilegalnews.com. According to ilegalnews.com, “i Legal News, LLC is a digital news channel covering local and national legal news including mass torts, class actions, bad drugs, products liability, personal injury and accidental and wrongful death accidents.”

12. Upon information and belief, Defendant Steinfeld Law Firm is a plaintiffs-only law firm founded by Patrick Steinfeld with a principal place of business at 90 Antigua Ct, Coronado, California, 92118-3312.

13. Upon information and belief, Defendant Patrick Steinfeld is the founder and sole practitioner at the Steinfeld Law Firm. According to the website patricksteinfeld.com, Defendant Patrick Steinfeld d/b/a Steinfeld Law Firm, is a “nationally recognized attorney” who has “recovered millions on behalf of [his] clients” and who “maintain[s] the highest professional and ethical standards.”

14. Upon information and belief, Defendants Patrick Steinfeld and/or Steinfeld Law Firm, alone and/or in connection with their business partners or affiliates, including, but not necessarily limited to, i Legal News, LLC, own, publish, run, maintain, manage and do business as ilegalnews.com.

15. Upon information and belief, ilegalnews.com is a disguised advertisement for Patrick Steinfeld and/or Steinfeld Law Firm.

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JURISDICTION AND VENUE

16. This is an action for copyright infringement arising under the Copyright Act of 1976, as amended, 117 U.S.C. § 101 et seq., as well as for common law claims. This Court has original and supplemental jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 (federal question), 1338 (copyright), and 1367 (supplemental).

17. Venue is proper in this judicial district pursuant to 38 U.S.C. § 1391(b) and (c), in that a substantial part of the vents giving rise to the claims occurred in this district, the harm occurred in this district, and Defendants are subject to personal jurisdiction in this district.

STATEMENT OF FACTS

Plaintiff's Business Model

18. The Legal Advocate is an investigative and news and legal analysis company dedicated to informing, educating, assisting and helping the general public with respect to commonly encountered legal issues. Plaintiff invests substantial financial and human resources in generating original and high-quality content for their website.

19. The reporting of breaking accident news is an increasingly common method for generating business leads and client development for personal injury law firms and attorneys, especially those that, like Patrick Steinfeld and/or Steinfeld Law Firm, exclusively represent plaintiffs.

20. The value of the content published on The Legal Advocate lies in the high quality of the investigative reporting and analysis and the timeliness with which that content is made available to the general public.

21. The Legal Advocate's independent reporting is the product of the full-time effort, skill, and judgment of its reporters. The content created therefrom constitutes

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proprietary and economically valuable intellectual property.

22. The high quality and timeliness of The Legal Advocate's reporting is a critical component of its business model, ensuring the continued loyalty of its users, attracting new users, and helping to attract new clients and business partners seeking further development of their own business through the generation of new client leads.

23. All articles published on The Legal Advocate contain a notice that the article is covered by the website's Terms of Use Agreement. Said Agreement is readily available in easily readable print on the website, and all articles contain a link to the full agreement. See Exhibit "1".

24. Among other things, pursuant to the Terms of Use, all users *Agree not to duplicate, publish, display, distribute, modify, or create derivative works from the material presented through the Site unless specifically authorized in writing by The Legal Advocate.* Id.

25. The content created, authored, written by the analysts and reporters employed by The Legal Advocate are works for hire, and the copyright for those works vests within and is owned exclusively by Belsito Communications Inc.

Defendants' Infringement of Plaintiff's Copyrighted Materials

26. Defendants i Legal News, LLC, Steinfeld Law Firm and Patrick Steinfeld, alone and/or in connection with each other and/or other unknown business partners and/or affiliates, run, own, operate, maintain manage and/or oversee ilegalnews.com, a website purporting to provide original reporting of breaking legal news, including the reporting of automobile accidents. The ilegalnews.com website is in direct competition with The Legal Advocate with respect to the business of reporting accident news stories and/or providing legal analysis.

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27. Without authorization from The Legal Advocate, and without The Legal Advocate's consent, Defendants i Legal News, LLC, Steinfeld Law Firm and Patrick Steinfeld, alone, and/or in connection with each other and/or other unknown business partners and/or affiliates, and/or by and through their employees and/or agents, have caused to be made, and have directed the copying and widespread distribution of the content of Plaintiff's copyrighted articles for its own financial gain.

28. On multiple occasions, Defendants i Legal News, LLC, Steinfeld Law Firm and Patrick Steinfeld, alone, and/or in connection with each other and/or other unknown business partners and/or affiliates, have impermissibly copied, quoted, reproduced, published, publicized, distributed, and/or plagiarized the most creative and original aspects of the content originally created by and originally published on The Legal Advocate.

29. Plaintiff possesses substantial and direct evidence that Defendants obtained the subject copied, quoted, reproduced, published, publicized, distributed and/or plagiarized material directly from The Legal Advocate and not from any other source.

30. Specifically, in an effort to protect its rights in its intellectual property and proprietary work, Plaintiff planted "seed" stories on The Legal Advocate. These "seed" stories are entirely invented, novel, and creative works posing as original breaking news reporting that could only be obtained through the direct use of The Legal Advocate website.

31. The content impermissibly copied, quoted, reproduced, published, publicized, distributed, and/or plagiarized by Defendants includes both original breaking news reporting as well as "seed" stories.

32. Upon information and belief, neither Patrick Steinfeld, Steinfeld Law Firm, i Legal News, LLC, nor any of their business partners or affiliates, generates content pertaining to automobile accidents for ilegalnews.com through original reporting.

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33. Upon information and belief, Patrick Steinfeld and/or Steinfeld Law Firm, directly profit and benefit from their infringement of The Legal Advocate's intellectual property by, among other things, generating leads for their business.

Defendants' Infringement is Willful

34. Defendants' repeated infringement of Plaintiff's copyrights is willful. Defendants know that their actions constitute copyright infringement and have otherwise acted with reckless disregard of the high probability of infringement.

35. As a "nationally recognized attorney" who has "recovered millions" and who "maintain[s] the highest professional and ethical standards," Defendant Patrick Steinfeld's understanding of, and/or expertise in, copyright law may be presumed.

36. Patrick Steinfeld's understanding of, and/or expertise in, copyright law imputes such understanding and expertise upon those business entities he has founded, runs, manages, operates, maintains, oversees and/or does business as, including, but not necessarily limited to, Defendants Steinfeld Law Firm and i Legal News, LLC.

37. Even only a passing familiarity with copyright law would provide all Defendants with actual or constructive knowledge of the wrongness of its actions in copying, quoting, reproducing, publishing, distributing, and/or plagiarizing content originally reported and/or created by and published on The Legal Advocate.

38. Upon information and belief, despite having actual and/or constructive knowledge of the wrongness of its actions, Defendants have continued to illegally obtain, publish, publicize, distribute, reproduce, copy and/or plagiarize content originally published on The Legal Advocate.

39. The materials willfully infringed upon by Defendants fall within one of two categories: original accident news reports or "seed" stories.

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40. With respect to the “seed” stories infringed upon by Defendants, these stories are wholly original and creative, and they are protected, in their entirety, by Plaintiff’s copyright.

41. With respect to the original accident news reports infringed upon by Defendants, the principles of copyright law upon which this action is based have been well established by Second Circuit and Supreme Court precedent for well over forty (40) years. While the news itself cannot be copyrighted, it has long been recognized that copyright law protects an author’s analysis and interpretation of events, including the manner in which the author structures his or her material and marshals facts, the author’s choice of words, and the emphasis given to particular developments. See Wainwright Secs. v. Wall St. Transcript Corp., 558 F.2d 91, 95-96 (2d Cir. 1977) (*quoting International News Service v. Associated Press*, 248 U.S. 215, 234-39 (1918)).

Defendants’ Breach of Contract

42. In addition to repeatedly infringing Plaintiff’s copyrights, Defendants have plainly breached The Legal Advocate’s Terms of Use Agreement.

43. All users who access content on The Legal Advocate agree to the Terms of Use governing the site and are bound by all provisions contained therein. See Exhibit “1”.

44. Notice is given above each news article that the content of the page, which includes the new article is governed by and subject to a Legal Disclaimer.

45. The Legal Disclaimer provides a link to the Website’s “Terms of Use” Agreement. All visitors to the site are given notice thereof and ample opportunity to read, review, and accept the same.

46. Among other things, the Terms of Use Agreement requires that users of the site “*agree not to duplicate, publish, display, distribute, modify, or create derivative works*

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from the material presented through the Site unless specifically authorized in writing by The Legal Advocate.” Exhibit “1”.

47. Among other things, the Terms of Use Agreement also expressly prohibits “[u]se [of] the Website for any purpose that is unlawful or prohibited . . . [f]or example, us[ing] the Website to violate any law, statute, or regulation (including, without limitation, those governing export control, consumer protection, unfair competition, anti-discrimination, or false advertising).” Id.

48. Among other things, the Terms of Use Agreement also includes a Copyright and Legal Notice expressly stating that “[n]o part of [the Legal Advocate=s] content may be reproduced, stored in any form without written permission from Belsito.” Id.

49. Defendants have repeatedly violated these provisions by, among other things, copying, quoting, reproducing, publishing, distributing and/or plagiarizing content originally published on The Legal Advocate.

50. The repeated breaches of the Terms of Use Agreement have caused Plaintiff to suffer economic damages and irreparable harm by reason of the Defendants gaining an unfair economic advantage over Plaintiff to offer Plaintiff’s news without incurring Plaintiff’s costs to obtain that news.

Defendants’ Misappropriation of “Hot News”

51. In addition to constituting copyright infringement and a breach of contract, Defendants’ actions violate Plaintiff’s proprietary rights under the common law tort of “hot news” misappropriation.

52. The “hot news” doctrine is intended to prevent free riding by prohibiting the acquisition and republishing of time-sensitive news and analysis created and generated by a competitor.

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53. The timeliness of The Legal Advocate's breaking news reporting is a significant element of its business model.

54. Defendants' copying, quoting, reproducing, publishing, distributing and/or plagiarizing content originally published on The Legal Advocate is a plain attempt to free ride off of Plaintiff's significant financial investment in the creation and production of breaking news and analysis.

55. Upon information and belief, Defendants do not invest in creating and producing breaking news and analysis and are attempting to free ride off of Plaintiff's investments to gain an unfair competitive advantage.

56. The repeated breaches of the Terms of Use Agreement have caused Plaintiff to suffer economic damages and irreparable harm by reason of the Defendants gaining an unfair economic advantage over Plaintiff to offer Plaintiff's news without incurring Plaintiff's costs to obtain that news.

COUNT I

(Copyright Infringement)

57. Plaintiff restates, alleges and incorporates by reference each of the preceding paragraphs numbered 1 through 56.

58. Plaintiff owns the copyright to all content published on The Legal Advocate and are the owners and holders of the copyrights for the thirteen specific articles upon which this lawsuit is based, which are identified below:

- a. "Rick Lowe, 27, killed in Long Beach pedestrian accident" is a seed story published on The Legal Advocate on or about April 1, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com

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as “Rick Lowe in Fatal Long Beach Accident” on or about April 2, 2020. Copies of both stories are annexed as Exhibit “2”.

- b. “Kevin Windsor, 39, dies after being hit by delivery truck” is a seed story published on The Legal Advocate on or about April 9, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Kevin Windsor Killed in Santa Clarita Truck Accident” on or about April 13, 2020. Copies of both stories are annexed as Exhibit “3”.
- c. “Bo Powelton, 21, sadly killed in auto-pedestrian accident” is a seed story published on The Legal Advocate on or about April 21, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Bo Powelton in Fatal West Hills Pedestrian Accident” on or about that same day. Copies of both stories are annexed as Exhibit “4”.
- d. “John Lincoln, 37, sadly killed in auto-motorcycle accident” is a seed story published on The Legal Advocate on or about April 18, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “John Lincoln in Fatal Sacramento Motorcycle Accident” on or about April 22, 2020. Copies of both stories are annexed as Exhibit “5”.
- e. “Luis Martinez injured in Los Angeles pedestrian accident” is an originally reported accident news report published on The Legal Advocate on or about April 23, 2020. This story was copied, quoted,

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plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Luis Martinez Injured in Los Angeles Accident” on or about April 25, 2020. Copies of both stories are annexed as Exhibit “6”.

- f. “John Richard, 22, sadly killed in Santa Ana DUI accident” is a seed story published on the Legal Advocate on or about May 2, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “John Richard Killed in Santa Ana Accident” on or about May 3, 2020. Copies of both stories are annexed as Exhibit “7”.
- g. “Fernando Hernandez, 45, sadly killed in San Jose dui accident” is a seed story published on The Legal Advocate on or about June 2, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Fernando Hernandez Sadly Killed in San Jose DUI Accident” on or about that same day. Copies of both stories are annexed as Exhibit “8”.
- h. “Alicia Risdon, 19, sadly killed in pedestrian accident” is a seed story published on The Legal Advocate on or about June 2, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Alicia Risdon sadly dies in Long Beach Big Rig Accident” on or about that same day. Copies of both stories are annexed as Exhibit “9”.
- i. “Mike Riddell, 39, sadly killed in two-vehicle accident” is a seed story published on The Legal Advocate on or about May 2, 2020. This story

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was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on youtube.com as “Mike Riddell Sadly Killed in Sacramento Accident” on or about June 3, 2020. A copy of the Legal Advocate story and a screengrab of the i Legal News, LLC YouTube video are annexed as Exhibit “10”.

- j. “Sharon Leanne, 27, sadly injured in auto-bicycle accident” is a seed story published on The Legal Advocate on or about June 5, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Sharon Leanne Critically Injured in Huntington Beach” on or about that same day. Copies of both stories are annexed as Exhibit “11”.
- k. “Ronald Long, 43, sadly injured in auto-motorcycle accident” is a seed story published on The Legal Advocate on or about June 5, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Ronald Long Seriously Injured in Sacramento Motorcycle Accident” on or about that same day. Copies of both stories are annexed as Exhibit “12”.
- l. “Jason Burton, 34, is sadly killed in pedestrian accident” is a seed story published on The Legal Advocate on or about June 17, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Jason Burton Sadly Dies in Glendale Accident” on or about that same day. Copies of both stories are annexed as Exhibit “13”.

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- m. “Barrett Davis, 25, sadly killed in auto-bicycle accident” is a seed story published on The Legal Advocate on or about June 19, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Barrett Davis of Kernville Dies in Bakersfield Accident” on or about that same day. Copies of both stories are annexed as Exhibit “14”.
- n. “Ken Garfinkel, 27, sadly killed in hit-and-run accident” is a seed story published on The Legal Advocate on or about June 23, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Ken Garfinkel of Irvine Sadly Killed in Costa Mesa Accident” on or about that same day. Copies of both stories are annexed as Exhibit “15”.
- o. “Jeff Startup, 23, sadly killed in high-speed accident” is a seed story published on The Legal Advocate on or about June 24, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Jeff Startup of Durham Sadly Killed in Chico Car Accident” on or about that same day. Copies of both stories are annexed as Exhibit “16”.
- p. “Chris Moss, 21, sadly killed in moped-vehicle accident” is a seed story published on The Legal Advocate on or about June 24, 2020. This story was copied, quoted, plagiarized, reproduced, distributed,

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published and/or publicized by i Legal News, LLC on ilegalnews.com as “Chris Moss of Malibu Sadly Killed in Santa Monica Accident” on or about that same day. Copies of both stories are annexed as Exhibit “17”.

- q. “Eli Snead, 19, sadly killed in hit-and-run accident” is a seed story published on The Legal Advocate on or about June 24, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Eli Snead of Inglewood Killed in Beverly Hills Hit-and-Run Accident” on or about July 2, 2020. Copies of both stories are annexed as Exhibit “18”.
- r. “Norm Manning, 23, sadly killed in hit-and-run accident” is a seed story published on The Legal Advocate on or about July 6, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Norm Manning of Wasco Sadly Killed in Kern County Car Accident” on or about that same day. Copies of both stories are annexed as Exhibit “19”.
- s. “Christine Gooden, 21, sadly killed in fatal stop-sign accident” is a seed story published on The Legal Advocate on or about July 13, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Christine Gooden of La Mesa Tragically Died in El Cajon Bicycle Accident” on or about that same day. Copies of both stories are

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annexed as Exhibit “20”.

- t. “Virginia Navarro, 58, sadly killed in auto-bicycle accident” is an originally reported accident news report published on The Legal Advocate on July 13, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Virginia Navarro Sadly Died in Rosemead Bicycle Accident” on or about that same day. Copies of both stories are annexed as Exhibit “21”.
- u. “Felix Mancuso, 27, sadly killed in auto-pedestrian accident” is a seed story published on The Legal Advocate on or about July 14, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Felix Mancuso Tragically Killed in Rancho Cucamonga Accident” on or about that same day. Copies of both stories are annexed as Exhibit “22”.
- v. “Bobby Howatt, 15, sadly dies in fatal auto-bicycle accident” is a seed story published on The Legal Advocate on or about July 17, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Bobby Howatt Sadly Killed in Oxnard Accident” on or about that same day. Copies of both stories are annexed as Exhibit “23”.
- w. “Marie Gifford, 24, sadly killed in hit-and-run accident” is a seed story published on The Legal Advocate on or about July 22, 2020. This story was copied, quoted, plagiarized, reproduced, distributed,

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published and/or publicized by i Legal News, LLC on ilegalnews.com as “Marie Gifford Tragically Died in a Sacramento Hit-and-Run Accident” on or about that same day. Copies of both stories are annexed as Exhibit “24”.

- x. “Bob Brown, 32, sadly killed in redding hit-and-run accident” is a seed story published on The Legal Advocate on or about July 22, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Bob Brown of Burney Killed in Redding Hit-and-Run Accident” on or about that same day. Copies of both stories are annexed as Exhibit “25”.
- y. “Marie Casper, 21, tragically killed in Lancaster hit-and-run” is a seed story published on The Legal Advocate on or about August 3, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Mary Casper of Glendale Sadly Dies in Hit-and-Run Accident” on or about that same day. Copies of both stories are annexed as Exhibit “26”.
- z. “Jonathan Jolley, 23, sadly killed in hit-and-run-accident” is a seed story published on The Legal Advocate on or about August 3, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Jonathan Jolley Killed in Costa Mesa Hit-and-Run Motorcycle Accident” on or about that same day. Copies of both stories are

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annexed as Exhibit “27”.

- aa. “Rock Miller, 24, tragically is killed in hit-and-run accident” is a seed story published on The Legal Advocate on or about August 17, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Rock Miller of Tustin Killed in Fontana Hit-and-Run Accident” on or about August 18, 2020. Copies of both stories are annexed as Exhibit “28”.
- bb. “Mike Boyer, 28, dies following two-vehicle crash in Antioch” is a seed story published on The Legal Advocate on or about August 13, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Mike Boyer of Concord Tragically Died in Antioch Car Accident” on or about August 18, 2020. Copies of both stories are annexed as Exhibit “29”.
- cc. “Ronald Herron, 54, suffers major injuries in Perris accident” is a seed story published on The Legal Advocate on or about August 17, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Ronald Herron Seriously Injured in Perris Car Accident” on or about August 18, 2020. Copies of both stories are annexed as Exhibit “30”.
- dd. “Stacy Beach, 25, sadly is killed in Visalia bicycle accident” is a seed story published on The Legal Advocate on or about August 20, 2020.

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This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Stacy Beach of Irvine Killed in Visalia Bicycle Accident” on or about that same day. Copies of both stories are annexed as Exhibit “31”.

ee. “Pamela McKenny, 32, sadly is killed by hit-and-run motorist” is a seed story published on The Legal Advocate on or about August 26, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Pamela McKenny Killed in Pasadena Hit-and-Run Accident” on or about that same day. Copies of both stories are annexed as Exhibit “32”.

ff. “Charles Watkins sadly is killed in Modesto motorcycle accident” is a seed story published on The Legal Advocate on or about September 1, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Charles Watkins of Turlock Killed in Modesto Accident” on or about that same day. Copies of both stories are annexed as Exhibit “33”.

gg. “Helen Vaughn, 23, sadly is killed in hit-and-run accident” is a seed story published on The Legal Advocate on or about September 15, 2020. This story was copied, quoted, plagiarized, reproduced, distributed, published and/or publicized by i Legal News, LLC on ilegalnews.com as “Helen Vaughn Killed by Chula Vista Hit-and-Run

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Accident” on or about that same day. Copies of both stories are annexed as Exhibit “34”.

59. 11 of these 33 articles are protected under Copyright Registration Numbers TXu002213418 and TXu002213421.

60. Specifically, the article entitled “Luis Martinez injured in Los Angeles pedestrian accident” is protected under Copyright Registration Number TXu002213421 while the articles entitled “Rick Lowe, 27, killed in Long Beach pedestrian accident”, “Kevin Windsor, 39, dies after being hit by delivery truck”, “Bo Powelton, 21, sadly killed in auto-pedestrian accident”, “John Lincoln, 37, sadly killed in auto-motorcycle accident”, “John Richard, 22, sadly killed in Santa Ana DUI accident”, “Fernando Hernandez, 45, sadly killed in San Jose dui accident”, “Alicia Risdon, 19, sadly killed in pedestrian accident”, “Mike Riddell, 39, sadly killed in two-vehicle accident”, “Sharon Leanne, 27, sadly injured in auto-bicycle accident”, and “Ronald Long, 43, sadly injured in auto-motorcycle accident” are protected under Copyright Registration Number TXu002213418.

61. Registrations for the remaining 22 articles have been filed with the United States Copyright Office under Claim Numbers 1-9051138831, 1-9536059091, 1-9536059349 and 1-9536402919.

62. Plaintiff invested substantial time, money and labor in the creation and publication of these articles.

63. Defendants have infringed on Plaintiff’s registered copyrights by copying, quoting, plagiarizing, publicizing, reproducing, publishing and/or distributing the content of these articles on Accidentnews.co and/or SafetyWatch.com without Plaintiff’s consent or authorization.

64. The copying of Plaintiff’s articles is substantial in quality and reduces the

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economic value of Plaintiff's content. Defendants have copied, quoted, appropriated, plagiarized, publicized, reproduced, distributed and/or published the most creative, original and significant elements of these articles.

65. Upon information and belief, Defendants will continue to infringe upon Plaintiff's copyrights, whether such copyrights are officially registered or not, unless they are restrained and enjoined from doing so.

66. Defendants repeated illegal acts of copyright infringement have caused the Plaintiff to suffer untold economic damages and irreparable harm.

67. Defendants actions constitute a blatant violation of Plaintiff's exclusive rights, as owner and holder of the registered copyrights, of reproduction, preparation of derivative works, and distribution under 17 U.S.C. §§ 106(1), (2), and (3).

68. Upon information and belief, and in light of Patrick Steinfeld's legal expertise, Defendants' copyright violations and infringing acts were willful. Defendants knew they were committing acts of copyright violation and otherwise acted with reckless disregard of the high probability of infringement.

69. As a direct and foreseeable consequence of these illegal acts, Plaintiff has suffered and continues to suffer harm, and is entitled to actual and/or statutory damages of up to \$150,000.00 per violation, as well as costs and attorney's fees pursuant to 17 U.S.C. §§ 504, 505.

COUNT II

(Breach of Contract)

70. Plaintiffs restate, allege and incorporate by reference each of the preceding paragraphs numbered 1 through 69.

71. As a result of Defendants' actions, Plaintiff is entitled to a money judgment

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equal to the economic damages sustained by Plaintiff by reason of the Defendants gaining an unfair economic advantage over Plaintiff to publish Plaintiff's news without incurring Plaintiff's costs to obtain that news.

72. As a result of Defendants' actions, the value of Plaintiff's asset, The Legal Advocate, has been diminished and Plaintiff is entitled to a money judgment equal to the diminished value of that asset.

73. As a result of Defendants' actions, Plaintiff is entitled to a money judgment equal to the expenses incurred by Plaintiff to obtain its news stories which Defendants' thereafter misappropriated without incurring Plaintiff's costs to obtain that news.

COUNT III

(Hot News)

74. Plaintiffs, restate, allege and incorporate by reference each of the preceding paragraphs numbered 1 through 73.

75. As a result of Defendants' actions, Plaintiff is entitled to a money judgment equal to the economic damages sustained by Plaintiff by reason of the Defendants gaining an unfair economic advantage over Plaintiff to publish Plaintiff's news without incurring Plaintiff's costs to obtain that news.

76. As a result of Defendants' actions, the value of Plaintiff's asset, The Legal Advocate, has been diminished and Plaintiff is entitled to a money judgment equal to the diminished value of that asset.

77. As a result of Defendants' actions, Plaintiff is entitled to a money judgment equal to the expenses incurred by Plaintiff to obtain its news stories which Defendants' thereafter misappropriated without incurring Plaintiff's costs to obtain that news.

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PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests the Court issue an Order:

1. Declaring that Defendants have (1) infringed upon Plaintiff's registered copyrights, (2) misappropriated Plaintiff's property interest in its economically valuable and time-sensitive reporting and analysis, and (3) breached its contract with Plaintiff as set forth in The Legal Advocate's Terms of Use; and
2. Declaring that Defendants' acts and conduct as set forth in the preceding paragraphs were willful; and
3. Directing that the Defendants and their business partners, agents, employees, or representatives, and all persons in privity therewith, are prohibited and permanently restrained from copying, quoting, reproducing, publishing, distributing, and/or plagiarizing content originally published on The Legal Advocate; and
4. Directing that Defendants and their business partners, agents, employees, or representatives, and all persons in privity therewith, are prohibited and permanently restrained from distributing or publishing any material that has been derived in any manner from Plaintiff's copyrighted and/or proprietary rights; and
5. Awarding compensatory, actual, punitive and statutory damages to Plaintiff in the amount of one hundred and fifty thousand dollars (\$150,000.00) for each act of infringement pursuant to 17 U.S.C. § 504; and
6. Ordering Defendants pay Plaintiff for the costs of this action, pursuant to 17 U.S.C. § 505, including reasonable attorney's fees; and
7. Entering a money judgment against the Defendants pursuant to any Count; and
8. Awarding such other and further relief as the Court deems just and equitable.

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DATED: Poughkeepsie, New York
October 23, 2020

Yours, etc.

McCABE & MACK LLP

By: 

JOANNA M. LONGCORE

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Patrick Steinfeld, individually, and as Founder and Owner of i Legal News
LLC and Steinfeld Law Firm
90 Antigua Ct.
Coronado, CA, 92118-3312

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STATE OF NEW YORK)
) ss.:
COUNTY OF DUTCHESS)

I, the undersigned, am an attorney duly admitted to practice in the courts of New York State and say that: I am the attorney of record, or of counsel with the attorney(s) of record, for Plaintiff. I have read the annexed Verified Complaint, know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based upon the following:

review of correspondence, records, and reports in affirrant's possession.

The reason I make this affirmation instead of Plaintiff is that said Plaintiff does not reside in or maintain an office in the county where affirrant's office is located.

I affirm the foregoing statements are true under penalties of perjury.

DATED: Poughkeepsie, New York
 October 23, 2020



JOANNA M. LONGCORE